

SCOTT N. SCHOOLS, SC SBN 9990
 United States Attorney
 JOANN M. SWANSON, CSBN 88143
 Assistant United States Attorney
 Chief, Civil Division
 EDWARD OLSEN, CSBN 214150
 Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
 San Francisco, California 94102
 Telephone: (415) 436-6915
 FAX: (415) 436-6927

Attorneys for Defendants

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

NIKOLAI PETVIASHVILI,

Plaintiff,

v.

MICHAEL CHERTOFF, Secretary, U.S.
 Department of Homeland Security;

ROBERT S. MUELLER, III, Director,
 Federal Bureau of Investigations;

ALBERTO R. GONZALES, Attorney General
 of the United States;

EMILIO GONZALES, Director, U.S.
 Citizenship and Immigration Services;

FRANCIS D. SICILIANO, Officer in Charge,
 San Jose Sub Office of U.S. Citizenship and
 Immigration Services;

Defendants.

No. C 07-2391 PVT

**STIPULATION TO DISMISS AND
~~PROPOSED~~ ORDER**

Plaintiff, appearing *pro se*, and Defendants, by and through their attorneys of record, hereby stipulate, subject to the approval of the Court, to dismissal of the above-entitled action without prejudice in light of the fact that the United States Citizenship and Immigration Services has agreed to adjudicate plaintiff's application for naturalization within 30 days of the dismissal of this action.

Each of the parties shall bear their own costs and fees.


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Stipulation to Dismiss
 C07-2391 PVT

1 Dated: July 18, 2007

Respectfully submitted,

SCOTT N. SCHOOLS
United States Attorney


EDWARD A. OLSEN
Assistant United States Attorney
Attorneys for Defendants

10 Date: July ___, 2007


NIKOLAI PETVIASHVILI
Pro Se

ORDER

14 Pursuant to stipulation, IT IS SO ORDERED.

16 Date: July 24, 2007


PATRICIA V. TRUMBULL
United States Magistrate Judge

Stipulation to Dismiss
C07-2391 PVT